

**Notice of Allowability**

Application No.

09/679,623

Examiner

Khanh Tran

Applicant(s)

YUKAWA, MAKI

Art Unit

2611

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 09/14/2006.
2. ☒ The allowed claim(s) is/are 3-6 and 8-15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

1. The Amendment filed on 09/14/2006 has been entered. Claims 3-6 and 8-15 are pending in this Office action.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Regarding claim 4, in line 13, "said parameter set" has been changed to -- said parameter set --.

Regarding claim 11, in line 19, "an information table" has been changed to -- said information table --.

3. Claims have been renumbered as shown below, respectively:

claims 3-6 renumbered as claims 1-4;

claim 8 renumbered as claim 5; and

claims 9-15 renumbered as claims 6-12.

### ***Response to Arguments***

4. Applicant's arguments, see Applicant's Remarks on pages 13-18, filed on 09/14/2006, with respect to claims 3-4 and 9-12 have been fully considered and are persuasive. The rejection of claims 3-4 and 9-12 has been withdrawn.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

5. Regarding claims 3-4, claims are allowable after Applicant correctly points out in the Remarks on page 14 that Nagata is on whether the recording/reproducing control section 29 or the recording device 26 is configured to detect change of the information table on the basis of a predetermined criterion and to set a program parameter, described in the information table, that has changed as the signal extraction parameter upon detecting the content change as recited in claims 3 and 4.

6. Regarding claim 5, claim 5 is allowed over prior art of record because the cited references cannot teach or suggest "said parameter set portion is configured to monitor a result of decoding by said decoding portion, while said predetermined criterion includes presence/absence of error occurrence in said result of decoding".

7. Regarding claim 6, claim 6 is allowed over prior art of record because the cited references cannot teach or suggest "said parameter set portion is configured to previously recognize an end time of a currently received program from said EPG, while said predetermined criterion includes whether or not reaching said end time of said program".

8. Regarding claims 9-10, claims are allowable after Applicant correctly points out in the Remarks on page 16 that as argued above with respect to claims 3 and 4, Nagata is silent on whether the recording/reproducing control section 29 or the recording device 26 is configured to detect change of the information table on the basis of a predetermined criterion and to set a program parameter, described in the information table, that has changed as the signal extraction parameter upon detecting the content change. Furthermore, the recording/reproducing control section 29 of Nagata fails to teach a discontinuity flag adding part for adding a discontinuity flag to externally received digital broadcast signal in accordance with the claim scope mentioned above.

9. Regarding claims 11-12, claims are allowable after Applicant correctly points out in the Remarks on page 17 that for the reasons set forth above with respect claims 3, 4, 9, and 10. In addition, Nagata fails to teach an identification code adding portion configured to add an identification code identifiable in a program unit to an information table in the externally received digital broadcast signal when the recording/reproducing

part records the externally received digital signal and make the recording/reproducing portion record the externally received digital broadcast signal to which the identification code is added as the digital broadcast signal for reproduction.

10. Regarding claim 13, claim 13 is allowed over prior art of record because the cited references cannot teach or suggest "said information table includes: a current program information table corresponding to a currently broadcasted program" and "a next program information table corresponding to a program broadcasted next, and wherein, said parameter set portion previously performs temporary set processing extracting said next program information table from said digital broadcast signal and temporarily setting a program parameter described in said next program information table as a next program parameter" and "monitors the contents of said current program information table while said predetermined criterion includes whether or not the contents of said current program information table change to the contents of said next program information table, and performs real set processing setting temporarily set said next program parameter as said signal extraction parameter when the contents of said information table change".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

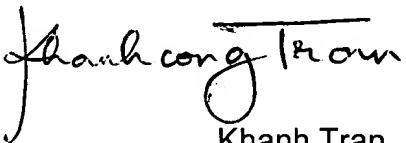
**Conclusion**

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 571-272-3007. The examiner can normally be reached on Monday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KCT

  
Khanh Tran  
Primary Examiner